

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

Rick and Rosella Fisher,)	
)	
Plaintiffs,)	ORDER GRANTING MOTION TO
)	CONTINUE TRIAL
vs.)	
)	
Continental Resources, Inc.,)	Case No. 1:13-cv-097
)	
Defendant.)	

Before the court is a “Motion to Continue Trial Date” filed by plaintiffs on July 27, 2015. Plaintiffs request that the court continue the final pretrial conference set for September 23, 2015, and the trial set for October 5, 2015, to ensure they have adequate to time complete expert discovery and prepare for trial once the court disposes of the parties’ pending motions.

Defendant did not file a response to plaintiffs’ motion the time prescribed by D.N.D Civ. L.R. 7.1(B). Its silence may be deemed an admission that the motion well taken. See D.N.D. Civ. L.R. 7.1(F). Also, the current congestion of the criminal docket makes it unlikely that the trial court proceed on the date currently scheduled in any event.

Plaintiffs’ motion (Docket No. 74) is **GRANTED**. The final pretrial conference set for September 23, 2015, and trial set for October 5, 2015, are cancelled. Both shall be rescheduled as necessary at a later date and time.

IT IS SO ORDERED.

Dated this 13th day of August, 2015.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr., Magistrate Judge
United States District Court